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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 U.S. BANK, NATIONAL ASSOCIATION AS
11 TRUSTEE FOR MERRILL LYNCH
12 MORTGAGE INVESTORS TRUST,
13 MORTGAGE LOAN ASSET-BACKED
CERTIFICATES, SERIES 2005-A8,

14 Plaintiff,

15 vs.

16 NORTH AMERICAN TITLE INSURANCE
COMPANY,

17 Defendant.

Case No.: 2:19-cv-00289-ART-NJK

ORDER GRANTING (ECF No. 102)

**STIPULATION TO EXTEND
DEADLINE TO FILE
SUPPLEMENTAL BRIEFING
[ECF No. 101]**

(First Request)

18 Plaintiff U.S. Bank, National Association as Trustee for Merrill Lynch Mortgage Investors
19 Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-A8 (“U.S. Bank”), and Defendant
20 North American Title Insurance Company (“NATIC”, collectively, the “Parties”), by and through
21 their counsel of record, hereby stipulate and agree as follows:

- 22 1. On August 11, 2023, U.S. Bank filed its Motion for Partial Summary Judgment. [ECF No.
23 76].
- 24 2. On September 1, 2023, NATIC filed its Counter Motion for Partial Summary Judgment.
25 [ECF No. 81] (hereinafter “Motions”).
- 26 3. While both Motions were fully briefed and pending decision, on October 12, 2023, the
27 Nevada Supreme Court issued its opinions in *Deutsche Bank* and *PennyMac*. See
28 *Deutsche Bank*, 139 Nev. Ad. Rep. 45, 536 P.3d 915 (Nev. 2023); *PennyMac*, 2023 Nev.

1 Unpub. LEXIS 732 (Oct. 12, 2023). The remittitur in *PennyMac* was issued on November
2 6, 2023. On October 30, 2023, the appellant filed a Petition for Rehearing in *Deutsche*
3 *Bank*. The Petition for Rehearing was denied on November 13, 2023, and the Court issued
4 the remittitur in *Deutsche Bank* on December 8, 2023.

5 4. On January 3, 2024, the Court entered a Minute Order requesting supplemental briefing
6 on the impact of *Deutsche Bank* and *PennyMac*, if any, on the pending Motions by January
7 18, 2024. [ECF No. 101].

8 5. However, the Parties, and its counsel, are still inventorying and analyzing whether and
9 which cases should be dismissed as a result of *Deutsche Bank*. Several matters have
10 already been dismissed or are in that process. Moreover, U.S. Bank's counsel is set to go
11 out on maternity leave beginning the week of January 16, 2024.

12 6. The Parties are therefore requesting a thirty-two (32) day extension until Monday,
13 February 19, 2024, to file the Parties' simultaneous supplemental briefing on their
14 respective Motions.

15 7. In the interim, it remains possible that the Parties can negotiate a dismissal without
16 expending additional resources.

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8. This is the first request for this extension which are made in good faith and not for purposes of delay.

IT IS SO STIPULATED.

DATED this 16th day of January, 2024.

DATED this 16th day of January, 2024.

WRIGHT, FINLAY & ZAK, LLP

EARLY SULLIVAN WRIGHT GIZER &
McRAE LLP

/s/ Lindsay D. Dragon

/s/ Scott E. Gizer

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IT IS SO ORDERED.

DATED: January 18, 2024.



ANNE R. TRAUM
UNITED STATES DISTRICT COURT JUDGE